IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

AMERICAN WASTE MANAGEMENT AND RECYCLING, LLC.

Plaintiff,

v.

CEMEX PUERTO RICO; CANOPY ECOTERRA CORP.; XYZ INSURANCE COMPANIES

Defendants.

Civil No. 07-01658-JAF

Breach of contract; collection of moneys damages.

Jury trial demanded.

INFORMATIVE MOTION REGARDING
FED. R. CIV. PROC. 26(f) CONFERENCE AND DISCOVERY SCHEDULE

TO THE HONORABLE COURT:

The Parties in this case, represented by their respective counsel, respectfully inform the Court:

1. CEMEX invited the parties to provide the initial discloures pursant to Rule 26(a) and to coordinate discovery. CEMEX also requested the parties to discuss the terms of compliance with the Court's September 24, 2007 Order.

2. On October 1, 2007 the parties met at the offices of TORO, COLÓN, MULLET, RIVERA & SIFRE, P.S.C. and reached the following stipulations:

3. Regarding compliance with the Court's September 24, 2007 Order ("the Order"), the parties agreed:

a) All compliance with the Court's September 24, 2007 order will be performed subject to prior notice in

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writing through counsel, specifying place or items to be inspected, persons who will be present, time requested for the inspection.

b) Should the parties fail to agree on an issue of compliance, they would recur to court only after limiting the controversy.

c) CEMEX agreed to make reasonable accommodations to coordinate compliance with the order.

d) AWMR will provide a list of the sites it requests to inspect, with specific description. This reflects CEMEX's legitimate concerns about security, access to the plant, and avoiding needless or artificial controversies.

e) All requests and communications will be done in writing, through counsel, with Mr. Williams, Mr. Valiente, and Mr. Toro-Monserrate as the main contacts for each party.

f) AWMR will provide a list of the rental equipment it wishes to remove from the premises, and of the parties involved in the removal. The removal of the rented equipment must be made on as expedited, orderly fashion.

g) Compliance with the court order pursuant to these terms will be informed to the court.

4. The parties reached the following agreements regarding discovery:

a) The parties will submit to written discovery no later than October 22, 2007.

b) The parties will respond to written discovery no later than November 14, 2007.

c) The following deposition schedule was agreed upon:

i. November 26, 2007: Mr. Abu Shah

ii. November 27, 2007: morning, Ms. Naseem Hameed

iii. November 28, 2007: Eng. Francine Arocho

iv. November 30, 2007: Eng. José Arzón and Arthur Mitchell.

v. December 5, 2007: Ramiro Lozano and Juan Emmanuelli

vi. December 6, 2007: José Fraticelli and Juan Mateo.

vii. December 7, 2007: Jerry Ruiz

viii. December 13, 2007: Ignacio Barsotelli

ix. December 14, 20 and 21, 2007: dates set apart for further depositions, and discovery conferences among counsel.

WHEREFORE, the parties request that the Court accept this motion as complying with the Honorable Court's Order and approve the proposed schedule.

I HEREBY CERTIFY that today October 2, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to all counsel of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 2st day of October, 2007.

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